

1
2
3
4
5
6
7
8
9

10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

13 VISHAL SINGH UPPAL,

14 Plaintiff,

15 v.

16 JOSEPH WILLIES, *et al.*,

Defendants.

Case No. C06-5167FDB

ORDER DENYING PLAINTIFFS
MOTIONS FOR AN INDIVIDUAL
HEARING TO PRESENT
“CONFIDENTIAL” TESTIMONY

This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4. Before the court is plaintiff's motion asking the court to grant him an individual hearing where he would present “confidential” testimony regarding criminal activity of persons who are not named defendants in this action as well as providing testimony regarding the defendants. (Dkt. # 18, 19, and 20). Plaintiff is arguing the court should reconsider the Report and Recommendation and grant him a stay of deportation (Dkt. # 19 and 20). Plaintiff has also filed a motion asking his motions be granted as they are unopposed (Dkt. # 22).

This is a Civil Rights action and fact or duration of confinement are not issues the court can consider in this case. Preiser v Rodriguez, 411 U.S. 475 (1973). Further, the Federal Rules of Evidence

ORDER - 1

1 and Federal Rules of Civil Procedure set forth the manner in which evidence may be presented.
2 Plaintiff has made no showing why the court should consider “confidential” testimony in this action.
3 The motions are **DENIED**.

4 The Clerk of Court is directed to send a copy of this Order to plaintiff and to counsel for
5 defendant(s).

6
7 DATED this 19th, day of October, 2006.

8
9 */S/ J. Kelley Arnold*
10 J. Kelley Arnold
11 United States Magistrate Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28 ORDER - 2